



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

PLICITLY provides that the employer who pays compensation shall be indemnified and "subrogated to the rights of the employee to recover damages therefor." This shows an action by an employee cannot be barred by filing a compensation agreement, for, if so, an employer who is subrogated to the right of the employee could never sue after such agreement. In view of English precedents and the evident intent of the act the decision is sound.

**MUNICIPAL CORPORATIONS — REDELEGATION OF DELEGATED POWERS — DISCRETION — STATUTE.** — By statute the city council of Springfield was given authority to license and regulate the transportation of passengers for hire by motor vehicle. (1916, MASS. STAT. c. 293.) Another statute provided that the city council might delegate the granting of licenses to other officials and might regulate the granting. (1913, MASS. STAT. c. 429.) The city council passed an ordinance regulating the fee and requirements and delegated to the police commission authority to grant licenses where the applicants were found to be "suitable to conduct such business" and the vehicles, after inspection, "safe and proper." The defendant was convicted for operating without a license. *Held*, conviction sustained. *Commonwealth v. Slocum*, 119 N. E. 687 (Mass.).

It is settled that the legislature may delegate powers concerning municipal affairs to municipal corporations. *Welch v. Swasey*, 193 Mass. 364, 79 N. E. 745; *State v. Carpenter*, 60 Conn. 97, 22 Atl. 497. When the method of exercising the power is not prescribed by the legislature, the local body may use reasonable discretion. *City of Lake View v. Tate*, 130 Ill. 247, 22 N. E. 791; *Halsey v. Rapid Transit Co.*, 47 N. J. Eq. 380, 20 Atl. 859. See 1 DILLON, MUNICIPAL CORPORATIONS, 5 ed., § 242 *et seq.* This discretion as to method of exercising the power cannot be delegated to any other body. *Johnson v. The Mayor and Council of City of Macon*, 62 Ga. 645; *Conn. v. Glavin*, 67 Conn. 29; *Commonwealth v. Maletsky*, 203 Mass. 241, 89 N. E. 245; *State v. Garibaldi*, 44 La. Ann. 809, 11 So. 36; *Day v. Green and Another*, 4 Cush. (Mass.) 433. However, ministerial or administrative functions may be delegated. *Los Angeles, etc. Corp. v. Los Angeles*, 163 Cal. 621, 126 Pac. 594; *Harcourt v. Asbury Park*, 62 N. J. L. 158, 40 Atl. 690. The police commission has been allowed to decide whether moving pictures were immoral. *Block v. City of Chicago*, 239 Ill. 251, 87 N. E. 1011. An official has been allowed to decide the number and position of saloons. *People v. Gregier*, 138 Ill. 401, 28 N. E. 812. And it has been held that discretion in an administrative function may be used whether the ordinance gives it or not. *Harrison v. People*, 222 Ill. 150, 78 N. E. 52. The ordinance in the principal case does not set a fixed standard. This is immaterial, for it is impossible to set one, and public policy demands protection of the public. See *Block v. City of Chicago*, *supra*, 262, 3. And so the statute in the principal case which allows the above rule of common law is merely affirming the common law and should be construed in accordance with it. *Hewey v. Nourse*, 54 Me. 256; *Baker v. Baker*, 13 Cal. 87.

**PROXIMATE CAUSE — WHAT CONSTITUTES IN INSURANCE CONTRACTS.** — The plaintiff's vessel lying at anchor 1000 feet off shore was damaged by a concussion of the air caused by an explosion due to fire on shore. Plaintiff's ship was insured in defendant company. The policy covered loss by fire without expressly excepting explosions. *Held*, insurance company is not liable. *Bird v. St. Paul Fire & Marine Ins. Co.*, 120 N. E. 86 (N. Y.).

A policy of fire insurance covers all damage which, within the meaning of the policy, is the proximate consequence of the fire. *Lynn Gas, etc. Co. v. Meriden Fire Ins. Co.*, 158 Mass. 570, 33 N. E. 690. Logically, damage by concussion from a distant explosion of powder caused by fire is a proximate consequence of the fire, since no independent cause intervenes, but the few cases